

## **EMPOWERMENT BOARD, IOWA[349]**

### **CHAPTER 1 COMMUNITY EMPOWERMENT**

- |          |                                      |
|----------|--------------------------------------|
| 1.1(28)  | Scope                                |
| 1.2(28)  | Purpose                              |
| 1.3(28)  | Availability                         |
| 1.4(28)  | Definitions                          |
| 1.5(28)  | Community empowerment central office |
| 1.6(28)  | Iowa board                           |
| 1.7(28)  | Empowerment area                     |
| 1.8(28)  | Community board                      |
| 1.9(28)  | Iowa empowerment fund                |
| 1.10(28) | Iowa empowerment funds               |



## CHAPTER 1 COMMUNITY EMPOWERMENT

**349—1.1(28) Scope.** Community empowerment is created to establish partnerships between state government and communities. The emphasis is to develop community empowerment areas to improve the well-being of children and their families and, through collaboration, to improve the efficiency and effectiveness of local early care, education, health and human services.

**349—1.2(28) Purpose.** Community empowerment is intended to empower individuals and their communities to achieve desired results to improve the quality of life for children and their families in Iowa. Community empowerment will enable local citizens to lead collaborative efforts involving early care, education, health, and human services on behalf of children, families, and other citizens residing in the area. It is believed that individuals in local communities working together through the process of community assessment, identification of priorities and development of their community plan is the best means to reach desired results. The role of the Iowa empowerment board and the state is to support and facilitate growth of individual and community responsibility in place of the directive role the public has come to expect of government.

Every community in Iowa will develop the capacity and commitment to achieve these desired results for children and their families:

1. Healthy children.
2. Children ready to succeed in school.
3. Safe and supportive communities.
4. Secure and nurturing families.
5. Secure and nurturing early care and education environments.

**349—1.3(28) Availability.** Community empowerment areas are statewide to promote collaboration among state and local education, health, and human services, consumers, business, faith organizations and public and private organizations to reach the desired results.

**349—1.4(28) Definitions.** For the purpose of these rules, the following definitions apply:

*“Accountable”* means the community board will include the public in assessing, setting priorities, and developing and implementing a community plan to reach the purpose and desired results of empowerment and will ensure that adequate records are maintained.

*“Advocacy”* means to promote the purpose of community empowerment, promote the enhancement and expansion of the community plan and promote individual and family access to formal and informal support.

*“Alignment”* means state- and community-level interagency efforts to integrate early care, health, and education systems and enhance state and community partnerships through innovative approaches.

*“Business community investment advisory council”* means a council created by the Iowa legislature to provide recommendations on building a public-private partnership for early childhood in Iowa.

*“Central office of empowerment”* means a facilitator (appointed by the governor) and staff in the Iowa department of management.

*“Citizen representative”* means a resident of the empowerment area, who is not an elected official or a required representative for education, health, and human services, or a paid staff member of an agency whose services fall under the plan or purview of the community board. A citizen representative may also represent faith, consumer or business.

*“Community assessment”* means to identify all formal and informal supports, assets and resources, as well as gaps, in the empowerment area for children and their families. A community assessment includes communitywide data, statistics, and facts upon which to base decisions to develop a community plan and to identify priorities to reach the desired results.

*“Community board”* means the governing board for an empowerment area.

*“Community board advisory council”* means individuals appointed by the community board to function on a continuing basis to study and recommend policy and guidelines for the empowerment area.

*“Community empowerment gifts and grants account”* means an account created in the Iowa empowerment fund under the authority of the department of management to be used for first years first.

*“Community plan”* means the local school ready grant plan, adopted by the community board following input from the community, implemented in the empowerment area.

*“Consumer”* means an individual or a family member who is or has been receiving services or who is impacted by the community plan.

*“Core functions”* means components of services which provide a common foundation for home visitation, parent support and preschool services.

*“Culturally competent”* means the capacity to function across cultures, requiring the ability to appreciate, understand and interact with members of diverse populations within the community.

*“Decategorization project”* means the human services decategorization of child welfare and juvenile justice funding project operated under Iowa Code section 232.188.

*“Designation”* means the status awarded by the Iowa board to an empowerment area meeting the criteria for geographic boundaries, readiness, the collaboration process, assessment, priorities, a community plan and budget to reach the desired results for children and their families.

*“Developmentally appropriate”* means that services are based on human development and learning, individual characteristics and experiences, and social and cultural contexts.

*“Early care,” “early care services,” or “early care system”* means the programs, services, support or other assistance made available to a parent or other person who is involved with addressing the health and education needs of a child from birth through the age of five. “Early care,” “early care services,” or “early care system” includes but is not limited to public and private efforts and formal and informal settings.

*“Early childhood business committee”* means a committee created by the Iowa board to advise the Iowa board on the use of the community empowerment gifts and grants account funds and to support implementation of the business community investment advisory council recommendations.

*“Elected official”* means a member of a board or governing body elected through the means of a public election.

*“Empowerment area”* means a geographic area as defined by the local community and designated by the Iowa board.

*“Family support”* means community-based services to promote the well-being of children and families.

1. Family support programs have the following characteristics:
  - Family-driven, meaning there is a true partnership with families.
  - Comprehensive, flexible, and individualized to each family based on the family’s culture, needs, values and preferences.
  - Build on strengths to increase the stability of family members and the family unit.
  - Utilize informal and formal support networks.
2. Family support programs produce the following results:
  - Increased parent confidence and competence in their parenting abilities.
  - Safe, stable, and supportive families who are connected to their communities.
  - Enhanced health, growth, and development of children and adults in the family unit.

*“First years first”* means a public-private partnership for early childhood in Iowa.

*“Fiscal agent”* means a public agency as defined in Iowa Code section 28E.2; a community action agency as defined in Iowa Code section 216A.91; a nonprofit corporation; or an area education agency as defined in Iowa Code chapter 273 to be designated as the fiscal agent by a community board.

*“Indicator”* means a measure that indirectly quantifies the achievement of a result.

*“Iowa board”* means the state of Iowa’s community empowerment board as appointed by the governor that meets the membership criteria of citizens and state agency directors as voting members and legislators as nonvoting members.

*“Iowa board advisory council”* means a body of individuals appointed by the Iowa board, including community board members, to obtain input and recommendations on policy and guidelines.

*“Iowa empowerment fund”* means a fund created in the state treasury from which moneys will be distributed to empowerment areas for the purpose of supporting children and their families.

*“Parent education”* means any developmentally appropriate information provided to or facilitated with individuals who function in the role of parents or expectant parents.

*“Performance measure”* means a measure that assesses a program, activity, or service.

*“Result”* means the effect desired for Iowans.

*“Results-oriented”* means the focus of the Iowa board and community boards is on results of the effect and impact the community plan and community collaboration have on children and their families for progress toward the desired results.

*“State agency”* means a department of the executive branch including, but not limited to, the departments of education, public health, human services and human rights.

*“State empowerment team”* means the central office of empowerment and identified personnel from the state agencies of economic development, education, public health, human services, and human rights to provide the day-to-day operational work of local- and state-level community empowerment and support to the Iowa board.

*“Technical assistance”* means an ongoing, systematic and interactive process that is designed to achieve results and that enables knowledge from research, policy and evidence-based practices to be shared in partnerships through a variety of strategies with specific groups, agencies, communities and other partners to use within their unique contexts.

### **349—1.5(28) Community empowerment central office.**

**1.5(1) Structure.** The office of empowerment shall be established as a division of the department of management to provide a center for facilitation, communication and coordination for the community empowerment process, associated activities and funding.

**1.5(2) Staff** shall include a facilitator who is appointed by the governor, subject to confirmation by the senate, and who serves at the pleasure of the governor. A deputy and support staff may be designated. Staff shall be provided by state agencies represented on the Iowa board and by additional state agencies which make staff available.

**1.5(3) Responsibility.** The central office of empowerment and state empowerment team shall:

- a. Provide primary staffing to the Iowa board.
- b. Coordinate state technical assistance activities.
- c. Implement a technical assistance system. The technical assistance system:
  - (1) Utilizes local representatives of state agencies represented on the Iowa board.
  - (2) Utilizes other state agencies and individuals involved with empowerment areas.
- d. Communicate and coordinate functions.
- e. Increase state- and local-level collaboration.
- f. Provide coordination and other support to the state’s early care system.
- g. Move authority and decision-making responsibility from the state to communities.
- h. Compile an annual report to the governor and general assembly on Iowa board activity and policy development, state-level indicators toward desired results and the empowerment area’s collaboration process, local indicators and performance measures. The annual report will include progress to avoid duplication, enhance efforts, combine planning and best utilize identified funding to meet the needs of the children and their families in the empowerment areas.
- i. Work with the state and local components of the community empowerment initiative, shared visions programs funded under Iowa Code chapter 256A, and other public and private efforts to improve the early care system.
- j. Provide support to the public and private stakeholders who are involved with the early care system, acting to strengthen the early care system and develop accountability measures for early care efforts.

*k.* Develop and disseminate accountability measures for assessing the outcomes produced by the department of education, the community empowerment initiative, and other publicly funded efforts to improve early care of young children. The initial measures utilized shall be the individual growth and development indicators developed by the early childhood research institute on measuring growth and development or other measures of high quality authorized by law.

*l.* Collect, interpret, and redisseminate data gathered from the measures for assessing outcomes under paragraph “*j.*” Factors subject to interpretation may include area demographics, relative expenditures, collaboration between programs in an area, and other factors impacting the outcomes produced by an individual program.

*m.* Annually provide information to the governor and general assembly regarding the outcomes produced by individual programs. The information shall be included in the Iowa board’s annual report.

**1.5(4) Technical assistance.** Funds will be allocated to support the central office of empowerment.

*a.* Technical assistance shall be provided continuously as well as upon request at the state and community level by the state empowerment team and appropriate local providers.

*b.* State or regional technical assistance may be provided, upon request, to assist in the resolution of a disagreement arising in empowerment areas or community boards.

### **349—1.6(28) Iowa board.**

**1.6(1) Membership.** The Iowa board shall consist of 18 voting members: 13 citizen members and 5 state agency director members. Six legislators shall serve as nonvoting members.

*a.* Five members shall be the directors, not the designees, of the state agencies of economic development, education, human rights, human services and public health.

*b.* The 13 citizen members shall be appointed by the governor, subject to confirmation by the senate.

(1) Appointments of citizen members shall ensure that each of the state’s congressional districts is represented by two citizen members.

(2) Citizen members may be reimbursed for actual and necessary expenses incurred in the performance of their duties, and paid a per diem as stated in Iowa Code section 7E.6.

(3) Appointments shall reflect the ethnic, cultural, social, and economic diversity of the state. The governor’s appointees shall be selected from individuals nominated by community boards.

(4) Appointments shall reflect the community board membership of one or more members each representing education, health, human services, business, faith, consumer and public interest.

*c.* Six legislators shall serve as nonvoting members of the Iowa board.

(1) Three legislators shall be appointed by the speaker of the house, with not more than two representing the same political affiliation, following consultation with the majority and minority leaders.

(2) Three legislators shall be appointed by the majority leader of the senate, with not more than two representing the same political affiliation, following consultation with the president of the senate and the minority leader of the senate.

(3) Legislative members are eligible for per diem and expenses as provided in Iowa Code section 2.10.

### **1.6(2) Structure.**

*a.* The Iowa board shall adopt bylaws to establish structure and function.

(1) The chairperson shall be elected from the citizen members.

(2) A simple majority of the voting membership shall constitute a quorum.

(3) Terms of office of all citizen members are three years.

(4) A vacancy on the board shall be filled in the same manner as the original appointment for the balance of the term.

*b.* The Iowa board shall meet a minimum of four times during the state fiscal year. Additional meetings may be called upon the request of the chairperson or upon the call of a majority of the voting members.

**1.6(3) Iowa board responsibility.**

a. The Iowa board may designate an advisory council consisting of representatives from community boards and persons knowledgeable or interested in the fields of health, human services, education and early childhood.

b. The Iowa board shall strive for coordination of services for children and their families through a state and local community partnership.

c. The Iowa board shall provide for maximum flexibility and creativity in the designation and administration of the responsibilities and authority of community boards and empowerment areas.

d. The Iowa board shall adopt guidance for community empowerment in Iowa. The guidance shall include at a minimum:

(1) The following state-level indicators are adopted and indirectly quantify the achievement of the desired results set forth in rule 1.2(28):

1. Low birth weight;
2. Immunized children;
3. Preliteracy skills;
4. Children in quality preschools;
5. Incidence of child abuse;
6. Teen births;
7. Crime rate;
8. Juvenile crime;
9. Employment rate;
10. Child abuse in a child care setting;
11. Availability of child care; and
12. Quality child care ratings.

(2) State-level indicators to be measured and available each fiscal year as compared with a baseline and prior fiscal years, as data is available.

(3) A process to request a plan of action from an empowerment area regarding progress toward desired results.

(4) Guidelines for progress reports by empowerment areas, including a process to report progress toward achieving results.

(5) Core functions for family support, parent support and preschool services provided through the community plan.

(6) Integration of statewide quality standards and results indicators adopted by other boards and commissions into the Iowa empowerment board's funding requirements for investments in early care, education, health, and human services.

e. The Iowa board shall annually submit results to the governor and general assembly.

f. The Iowa board shall regularly make information available identifying community empowerment funding and funding distributed for purposes of the early care system.

g. The Iowa board shall evaluate and determine empowerment area requests for approval of revised local structure and boundaries.

h. The Iowa board shall develop guidelines for insurance or other liability coverage of community boards.

i. The Iowa board shall, with extensive community input, develop and annually update a five-year and a ten-year plan to assist empowerment areas to reach collaboration and strive to align local assets and resources to reach desired results. The annual plan update will be provided each December to empowerment areas, the governor, and the general assembly.

j. The Iowa board shall identify bodies in state government providing overlapping and similar purposes to the public in early care, education, health, and human service and make recommendations and provide an annually updated strategic plan to the governor and general assembly to improve efficiencies, increase alignment, coordination, consolidation or integration of quality functions to achieve desired results, and for integration of state-administered funding streams directed to community empowerment areas and other community-based efforts for providing early care, education, health, and human service.

k. The Iowa board shall coordinate, consolidate, or integrate community-level committees, coalitions, planning groups, and other bodies with common purposes and memberships formed in response to state requirements.

l. The Iowa board shall evaluate and respond to requests from a community board for consolidation or integration to enhance reaching desired results. In order to implement a waiver, the community boards will follow the current waiver process as identified in administrative rules of each state agency.

m. The Iowa board shall establish a process for designation to occur every three fiscal years.

(1) The Iowa board determines the award of designation status to an empowerment area.

(2) The community board evaluates:

1. Community plan;
2. Progress toward local indicators and performance measures;
3. Collaboration process;
4. Management of empowerment funds; and
5. Local system development.

n. The Iowa board shall review annual reports that include indicator data and performance measure data submitted from local areas and may request a plan for corrective action or withdraw grant funding.

o. The Iowa board shall provide for the operation of an Internet Web page for purposes of widely distributing early care information provided by the departments represented on the board and the public and private agencies addressing the early care system.

(1) Information provided on the Internet Web page shall include but not be limited to all of the following:

1. The early learning standards for children aged three to five proposed by the early learning standards group created pursuant to federal child care and development block grant requirements and with assistance from the Iowa child care and early education network, department of education, department of human services, Iowa head start association, and Iowa state university of science and technology, as prepared with consideration of the standards and recommendations issued by the United States Department of Education regarding early childhood cognitive development and learning and preschool and research-based standards for high-quality early care, including but not limited to the practices identified by the Institute of Education Sciences of the United States Department of Education. As early learning standards are identified in law, the proposed standards posted on the Web page shall be replaced with the standards identified in law.

2. A link to a special Web page directed to parents, including parent-specific information on early care and information regarding the early childhood development credits under Iowa Code section 422.12C, and links to other resources available on the Internet and from other sources.

3. Program standards for early care that have been approved by state agencies.

4. A single point of contact for use by a parent in accessing the community empowerment area programs and early care programs that are available in the parent's area.

(2) The Iowa board shall include information regarding the extent and frequency of usage of the Web page in the board's annual report to the governor and general assembly.

p. The Iowa board shall establish an early childhood business committee to serve in an advisory role to the Iowa board on the use of the gifts and grants account funds and to support the implementation of the business community investment advisory council recommendations through first years first.

### **349—1.7(28) Empowerment area.**

**1.7(1) Structure.** A large enough population and geographic area exist to efficiently and effectively administer the responsibilities and authority of the community board to enable citizens to lead collaborative efforts involving early care, education, health, and human services on behalf of children, families and other citizens in the empowerment area.

a. A governing board is established to meet criteria for membership and structure and to assume the responsibility of a community board.



b. An empowerment area of a county or school district not meeting required criteria may request an exception to policy from the Iowa board.

**1.7(2) Responsibility.** An empowerment area is established to enable local citizens to be involved and commit to reaching the desired results for children and their families and to fulfilling the purpose of community empowerment.

**349—1.8(28) Community board.**

**1.8(1) Structure.** A community board shall function as the governing board for an empowerment area.

- a. Empowerment area functions shall be performed under the authority of a community board.
- b. A community board is a unit of local government for purposes of Iowa Code chapter 670, which relates to tort liability of governmental subdivisions.
- c. A majority of the members of a community board shall be elected officials or citizens.
- d. A community board shall have members to represent, at a minimum, education, health, human services, citizens, elected officials, and business, faith, consumer and public interest.
- e. Each community board shall adopt bylaws that will, at a minimum:
  - (1) Establish the function and structure for community boards.
  - (2) Set the terms of office for three years, and the terms shall be staggered.
  - (3) Provide for the election of a chairperson from citizens, elected officials or volunteers.
- f. A community board shall establish an organizational structure to ensure that the local expertise, public will and continuous input from the community are requested, reviewed and evaluated.
- g. The meetings of a community board or any committee or other body established by a community board at which public business is discussed or formal action taken shall comply with the requirements of Iowa Code chapter 21 (open meetings).
- h. A community board shall maintain its records in accordance with Iowa Code chapter 22 (open records).

**1.8(2) Responsibility.**

- a. A community board shall:
  - (1) Obtain extensive community input to develop a mission and a vision for the empowerment area.
  - (2) Designate a fiscal agent from a public agency, a community action agency, an area education agency or a nonprofit corporation.
  - (3) Administer, at a minimum, the community empowerment funds from the state awarded for the empowerment area.
  - (4) Administer funds as provided by law or from other federal, state, local, grant, foundation, or private moneys or other funds.
  - (5) Ensure that interest or earnings on the community empowerment funds will be used for services in the community plan.
  - (6) Coordinate with the decategorization governing boards the community plan and budget for the empowerment geographic area.
  - (7) Develop and implement a community plan, with identified priorities, based on community assessments which address early care, human service, education and health needs to support children and their families to reach desired results.
  - (8) Ensure that an annual report for the empowerment area on the effectiveness of the community plan is submitted each fiscal year to the Iowa board and to local governing bodies in the empowerment area.
- 1. Complete a budget that identifies existing sources of funding, including in kind and match, and how these funds may be coordinated with the early childhood and school ready funds to support the community plan.
- 2. Identify members of the community board, including each member's representation.
- 3. Identify local empowerment area indicators to assess the effectiveness of the community plan.
- 4. Provide measures, data, facts and statistics, including analysis, on progress of the community collaboration and the community plan.

5. Include baseline data and the ensuing fiscal year's data for local indicators, identify priorities, link local indicators to desired results, and report performance measures.

(9) Provide for staff to the empowerment area and community board through the collaborative efforts of public and private organizations committed to reaching desired results for children and their families.

(10) Develop a plan to sustain community efforts to support children and their families within the empowerment area.

(11) Function as a coordinating body for collaboration and alignment of services, which are offered by different entities and directed toward similar purposes, within the empowerment area.

(12) Assume other responsibilities established by law or administrative rule.

*b.* A community board may:

(1) Designate one or more committees for oversight of empowerment funds awarded to the empowerment area.

(2) Develop, within the empowerment area, neighborhood bodies for community-level input to the community board and implementation of the community plan.

(3) Implement the Iowa board's process to award funds at the beginning of the fiscal year to service providers.

(4) Establish an advisory council with representatives from the empowerment area to advocate, make recommendations, provide expertise, suggest public policy, and provide guidance to the community board. The community board may appoint an advisory council including members who are professionals knowledgeable in the fields of health, human services, early care, and education.

(5) Apply to the Iowa board or state agencies for waivers in order to administer categorical funds for services provided in the empowerment area which support the desired results for children and their families.

(6) By mutual written agreement between the community board, the decategorization board, and the state department of human services, assume the duties of the decategorization board or the decategorization board may serve as a committee of the community board.

**349—1.9(28) Iowa empowerment fund.** An Iowa empowerment fund is created in the state treasury as specified in Iowa Code section 28.9. A school ready funding account is created in the Iowa empowerment fund under the authority of the Iowa board to be administered by the director of the department of education. Moneys credited to the account shall be distributed by the department of education to designated empowerment areas pursuant to criteria established by the Iowa board in accordance with law. An early childhood funding account is created in the Iowa empowerment fund and shall be distributed by the director of the department of human services to designated empowerment areas pursuant to criteria established by the Iowa board in accordance with law. A community empowerment gifts and grants account is created in the Iowa empowerment fund under the authority of the department of management. The account shall consist of gift or grant moneys obtained from any source, including but not limited to the federal government. Moneys credited to the account are appropriated to the department of management to be used for first years first. Interest or earnings on moneys deposited in the Iowa empowerment fund shall be credited to the fund.

**349—1.10(28) Iowa empowerment funds.**

**1.10(1) Purpose.** The purpose of Iowa empowerment funds is to:

- a.* Encourage early intellectual stimulation of very young children;
- b.* Increase the basic skill levels of students entering school;
- c.* Increase the health status of children;
- d.* Reduce the incidence of child abuse and neglect;
- e.* Increase parents' involvement with their children; and
- f.* Increase the quality and accessibility of child care and preschool.

**1.10(2) Criteria for the use of early childhood funds.** Use of early childhood funds is defined in department of human services 441—Chapter 169, Iowa Administrative Code.

**1.10(3)** Criteria for school ready funds. School ready funds may be provided according to the community plan following community assessment of assets, resources and needs and identification of priorities.

- a.* Services, at a minimum in a community plan, may include, but are not limited to:
  - (1) Child development services.
  - (2) Child care services.
  - (3) Child care provider training on a child's early learning experience.
  - (4) Children's health and safety.
  - (5) Assessment services to identify chemically exposed infants and children.
  - (6) Parent support and education.
  - (7) Preschool services for children at risk.
- b.* Up to 3 percent, not to exceed \$60,000, of annual school ready funds may be used by the community board for administrative costs and other implementation expenses.
- c.* Empowerment areas are encouraged to commit 60 percent of school ready funds to family home visitation and parent support based upon a local community needs assessment.
- d.* The Iowa board will incorporate statewide quality standards and results indicators adopted by other boards and commissions into the Iowa board's funding requirements for investments in early care, education, health, and human service.
- e.* Eligibility to receive school ready funds shall be limited to designated empowerment areas.
- f.* School ready funds may be adjusted for other federal and state grant moneys received by the empowerment area.
- g.* Distribution of school ready funds shall be in accordance with directives in the current legislative appropriation of these funds.

**1.10(4)** The Iowa board shall identify and apply limitations on the carryforward of school ready children grant funding. Carryforward of funds cannot exceed three years.

The Iowa board defined an unusually high percentage as 30 percent of the annual school ready allocation, based on an accrual reporting system. For fiscal years ending after July 1, 2006, empowerment areas reporting a carryover balance of school ready funds in excess of 30 percent of the previous year's allocation will receive a reduction equal to the excess amount above the 30 percent in their next year's school ready allocation, based on accrual reporting.

All local community empowerment areas receive an automatic waiver for fiscal year '06 because of the significant increased allocation and stipulations to the school ready fund for fiscal year '06. Beginning in fiscal year '07, local CEAs shall file an appeal to the Iowa board to carry forward more than 30 percent of their annual school ready allocation. The appeal would provide an opportunity for local CEAs to explain their special circumstances, the particular use designated for the carryforward funds, how this action is in alignment with their community plan, and how this plan benefits Iowa's children and families.

Any excess carryforward funds will be distributed to all local boards, through the formula, for locally identified activities that are within the guidelines for use of school ready funds.

These rules are intended to implement Iowa Code chapter 28.

- [Filed emergency 7/27/98—published 8/26/98, effective 7/27/98]
- [Filed 1/18/01, Notice 11/29/00—published 2/7/01, effective 3/14/01]
- [Filed 7/18/02, Notice 4/3/02—published 8/7/02, effective 9/11/02]
- [Filed 3/27/06, Notice 2/1/06—published 4/26/06, effective 5/31/06]
- [Filed 5/20/08, Notice 1/30/08—published 6/18/08, effective 7/23/08]